Supreme Court, U. S.
FILED
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MICHAEL MODAK, JR., CLERK

IN THE SUPREME COURT OF THE UNITED STATES
WASHINGTON, D. C. 20543

OCTOBER TERM 1979
NO. 79-251

EARL L. SAPPINGTON, CPA, APPELLANT
VERSUS
PAUL R. BECKERT, PRESIDENT JUDGE, ET AL.,
APPELLEES

PETITION FOR REHEARING OF JUDGMENT NOT TO HEAR CASE

APPELLANT REPRESENTING SELF:

Earl L. Sappington, CPA
2 Cherry Lane
Levittown, Pa. 19055

REPRESENTING APPELLEES:

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Kathleen M. Quinn, Esquire
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EARL L. SAPPINGTON, CPA, APPELLANT
VERSUS
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PETITION FOR REHEARING
OF JUDGMENT OF 10-9-79 NOT TO HEAR CASE

1. The Supreme Court made a very serious error in Bradley v. Fisher, 13 Wallace 335 (1872). The Court decreed that a common law (judicial immunity) supersede a contradicting Congressional statute, the Civil Rights Act of 1871, thus changing the Congressional universal proposition, "Every person who..." to a particular proposition, "Some persons who...", thus "enabling" the Court to exempt several categories of individuals and the mythical state from the law. That unconstitutional act usurped the legislative powers of Congress, and has caused repeated injustice to many U. S. citizens; all cases built on the sand of Bradley. This also "enabled" the Court to change the 11th Amendment to work against a state's own citizens.

2. It is inconceivable that this error (many times compounded) could last in this country for 107 years.

One would expect this Supreme Court to grasp at the chance to correct such glaring injustice. Appellant wonders where the House Judiciary Committee has been sitting all this time.

3. What a wonderful opportunity for the Supreme Court of the United States to move away from the King, and show a puzzled American people that though it does have monarchical tendencies, it is essentially just, and will no longer attempt to shield the unlawful acts of its law practitioners with the King's immunity from prosecution, and henceforth will insist that attorneys in their morning coats, and judges with crooked political bent, will just have to take their chances with the law like all the rest of us professionals.

4. Section 1252, 28 U.S.C.A., invoked for this appeal, is ambiguous, but can be correctly interpreted with the last phrase referring to the United States as a party as being only another category of circumstances enabling direct appeal.

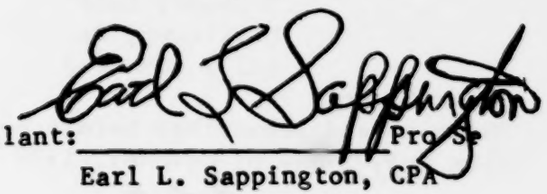
5. Appellant had every reason to think that Section 1252 gave jurisdiction to the U. S. Supreme Court in this case. But the King would want it that way, ambiguous, so he could go either way at will. The American people have finally asked the question: Has the interpreter of the King become the King during his exile?

6. Appellant has noticed that when the Supreme Court wants a case, it hears it, and worries about jurisdiction later. He is thinking of the Richmond Newspaper, Inc. case of Virginia, taken this term by the Court to clarify the Gannet decision.

7. Appellant does not wish to think that the Supreme Court wishes to further compound past injustices by taking advantage of an ambiguous statute to kill his case completely without a hearing. For the Third Circuit Court of Appeals to hear this case now, the Court would have to instruct it to count the time for appeal from 10-9-79, the date of the Court's order. But, among judges, only the Supreme Court can set right its past mistakes. Justice requires a decision on the merits of this case by the Supreme Court.

8. Appellant respectfully requests the Supreme Court to reconsider its order of 10-9-79 and hear this case.

Respectfully submitted,



Appellant: _____ Pro Se

Earl L. Sappington, CPA
2 Cherry Lane
Levittown, Pa. 19055

P.S. Appellant's Good Faith and Service affidavit is on the following page.

AFFIDAVIT OF GOOD FAITH AND SERVICE

Earl L. Sappington, being duly sworn according to law, deposes and says that he, being the appellant in the above-captioned matter, has petitioned the Supreme Court in good faith and not for delay. He further states that he has served three true and correct copies each of this "Petition For Rehearing..." to all parties required to be served, namely, the following attorneys representing the appellees, and to U. S. Solicitor General, pursuant to 28 U.S.C. A. § 2403. Service was made on October 10, 1979 by certified mail:

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Appellant: Earl L. Sappington Pro Se

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Bucks County, Pa.
Sworn to and subscribed before me
this 18th day of October, 1979

Florence S. Kinney

Florence S. Kinney, Notary Public
Bristol Township, Bucks County
My Commission Expires June 22, 1981